

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NEW YORK, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF JUSTICE, *et al.*,

Defendants.

**ORDER**

18 Civ. 6471 (ER)

CITY OF NEW YORK,

Plaintiff,

v.

MERRICK B. GARLAND, *et al.*,

18 Civ. 6474 (ER)

Defendants.

RAMOS, D.J.

On July 18, 2018, the States of New York, Connecticut, New Jersey, Washington, and Commonwealths of Massachusetts and Virginia, and, separately, the City of New York, brought these actions challenging conditions imposed by the U.S. Department of Justice in connection with Edward Byrne Memorial Justice Assistance Grant funding for Fiscal years 2017, 2018, 2019, and 2020. Doc. 1.<sup>1</sup> On November 30, 2018, this Court entered partial summary judgment for the Plaintiffs concerning their challenge to the 2017 conditions. Doc. 81. On January 28, 2019, Defendants filed an interlocutory appeal to the Second Circuit. Doc. 126. On February 26, 2020, the Second Circuit reversed this Court's partial grant of summary judgment. Doc. 169. On July 20, 2020, the Second Circuit entered a stay of its mandate pending Plaintiffs' filing of a

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<sup>1</sup> References to "Doc." relate to documents filed in the City of New York's action, No. 18 Civ. 6474. The motion papers and supporting documents submitted in the two related actions are essentially identical.

petition for writ of certiorari to the Supreme Court, and the Supreme Court's determination of any such petition. Doc. 179 at 2. Plaintiffs filed petitions for writs of certiorari to the Supreme Court on December 7, 2020. *Id.* On March 4, 2021, the Parties stipulated to the dismissal of the petitions for writs of certiorari, which were dismissed the same day. *Id.* On March 19, 2021, the Parties jointly moved this Court to stay proceedings pending the issuance of the mandate from the Second Circuit. Doc. 179. On March 19, 2021, the Court stayed proceedings. Doc. 180. On March 31, 2021, the Second Circuit issued the mandate and transmitted it to this Court. Doc. 181. The Parties now submit a stipulation of voluntary dismissal in both actions.

Accordingly, the Clerk is respectfully directed to lift the stay in both actions so that the stipulations of voluntary dismissal may be entered.

It is SO ORDERED.

Dated: April 30, 2021  
New York, New York



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Edgardo Ramos, U.S.D.J.